

EXHIBIT D

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION
-----x
ALABAMA GAS CORPORATION,)
Plaintiff,) Civil Action No.
v.) 2:10-cv-1840-IPJ
TRAVELERS CASUALTY AND SURETY)
COMPANY, et al.,)
Defendants.)

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Deposition of DENNIS F. UNITES
Haddonfield, New Jersey
Tuesday, October 4, 2011
9:21 a.m.

Job No.: 14183
Pages: 1 - 252
Reported by: Kim A. Ghilardi, CCR, RPR

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1 are PAHs?

2 A There would be several hundred PAHs
3 that would be there.

4 Q Does EPA look at a subset of PAHs as
5 being particularly important from an environmental
6 standpoint?

7 A I believe that there are 16 PAHs that
8 they have on the priority pollutant list. I'm not
9 sure of the exact number.

10 Q I'm shifting gears again. Over the
11 course of your career, can you give us an idea of
12 how many different MGP sites that you've been
13 involved in?

14 A I've looked at data from and looked
15 at information probably, I would have to estimate
16 that over the last, well since 1981, do the math on
17 that, I've probably looked at several hundred,
18 information about several hundred sites.

19 Q And of those sites, how many of those
20 sites, your work on those sites, involved looking
21 at aerial photographs?

22 A Oh, I would say that we are talking

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1 about tens of sites. Actually, when you start
2 looking at some of the other, some of the general
3 desk reviews, we are talking about close to a
4 hundred.

5 Q In other words, you've looked at
6 aerial photographs for over a hundred some-odd
7 sites?

8 A Around a hundred sites.

9 Q What role, if any, did aerial
10 photographs play in the normal process of a site
11 assessment?

12 A Typically we try to get the aerial
13 photographs to discern the site history.

14 Q And talking not just about MGP but
15 environmental site assessment in general.

16 A Any site assessment that we are
17 looking at the former use of the property.

18 Q Are aerial photographs identified in
19 any standards for environment site assignment?

20 A I believe the ASTM Phase 1 standards
21 suggest use of aerial photographs as well as
22 Sanborn and a number of other sources to determine

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1 past site activities.

2 Q And have you personally had any
3 formal education with regard to the review or
4 interpretation of aerial photographs?

5 A As an undergraduate, I took a course
6 in field methods that used, where we were using
7 stereoscopes and so on and there was a subset of
8 that where we actually talked about, you know, the
9 equipment used to develop topographic maps from
10 aerial photography. And in grad school, I took a
11 course in remote sensing which to a degree had
12 aerial photographs but had other techniques like
13 site scanning radar and so on.

14 Q And over the course of your career,
15 including MGP sites, can you give us a rough idea
16 of how many sites you've evaluated or assessed or
17 investigated that have involved the use of aerial
18 photographs?

19 MR. JANASKIE: I'm going to object to
20 this line of the questioning as outside the scope
21 of what I'd been asking. Go ahead.

22 A Probably a couple hundred sites, yes.

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1 Q What's a stereoscope?

2 A Stereoscope is a -- well, there are a
3 couple different varieties of stereoscopes but to
4 put it simply, they are a device that helps you see
5 the aerial photos in a 3D image.

6 Q Have you ever used a stereoscope?

7 A Oh, yes. Yes.

8 Q How many times?

9 A That would probably be in the several
10 hundreds of times, yes.

11 MR. JANASKIE: Again, objection to
12 the line of questioning as outside the scope of
13 what I had been asking about.

14 Q Do you own a stereoscope?

15 A The company does and I have my own
16 pocket stereoscope, yes.

17 Q In the course of your work evaluating
18 MGPs, is it common to rely on reports of other
19 experts?

20 A Yes.

21 Q Can you give me some examples?

22 A Aerial photographic interpretation we

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1 have here. We often have risk assessment done by
2 outside firms. We would have geophysical tests
3 done by outside firms as well. Even the chemistry,
4 we don't do our own chemical analysis. We send
5 that out. Often in the case of forensic
6 interpretations, we have somebody else do forensic
7 interpretations.

8 Q Okay. And is that true of all people
9 who do your work in your industry?

10 A I don't know of too many people that
11 are experts in all things.

12 MR. LASETER: I have no further
13 questions.

14 MR. JANASKIE: Can we take a three
15 minute break?

16 (Recess.)

17 MR. JANASKIE: I have just a few more
18 questions.

19 EXAMINATION BY MR. JANASKIE:

20 Q Mr. Unites, can you turn to Exhibit
21 #2, if you would. Looking at the 1936, it's the
22 fifth page in, it says it's Uniform Image Analysis